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AT DANVILLE, VA  
FILED *for Kiser*

MAR 10 2011

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

ATHENA FAYE CASS,  
Plaintiff,

Civil Action No. 7:11-cv-00016

v.

MEMORANDUM OPINION

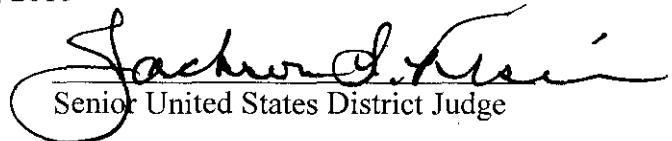
OFFICER W.A. SIMPSON,  
Defendant.

By: Hon. Jackson L. Kiser  
Senior United States District Judge

By Order entered February 1, 2011, the court assessed a \$350 filing fee and granted plaintiff fifteen from the date of the Order to forward to the court a statement of his assets, signed under penalty of perjury, so that the court could determine a payment schedule to proceed without prepayment of the filing fee. Plaintiff, who is incarcerated and proceeding pro se, was advised that failure to return the statement of assets within the allotted time would result in dismissal of this action without prejudice. The time for plaintiff to respond expired, and plaintiff has failed to return the required financial documents to the court. Accordingly, the complaint is dismissed without prejudice.

The Clerk is directed to send a copy of this memorandum opinion and the accompanying order to the plaintiff.

ENTER: This 10<sup>th</sup> day of March, 2011

  
Senior United States District Judge